

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE WORLDCOM, INC. SECURITIES	:	02 Civ. 3288 (DLC)
LITIGATION	:	
	:	<u>ORDER</u>
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DENISE COTE, District Judge:

The Lead Plaintiff and the Garden City Group ("GCG") have applied for approval of a final distribution to the WorldCom class in the Securities Litigation. Having reviewed the class members' objections made to the calculations made by the GCG, it is hereby

ORDERED that by **August 28, 2009**, GCG respond to the following three objections:

- 1) Ann and Patrick Dominick complain that the GCG used the "option strike price" instead of the price they actually paid to acquire WorldCom stock on May 28, 1999. They assert that their loss from that purchase is \$145,987.50, and not the \$4,100 credited to date by GCG.

GCG explains that the Dominicks purchased 5,269.5 shares of stock on May 28, 1999 at an artificial inflation of \$1.126 per share, and sold 876.5 shares for almost \$50,000 between May 1999 and June 2001, resulting in a market gain of over \$41,000. This claim was reduced by 90% under the Plan. The remaining 4,393 shares were held through the end of the Class period. It is unclear from the GCG submission that it has responded to the inquiry from the Dominicks about the use of the option strike

price instead of the actual amount paid in May 1999 for the stock.

- 2) John DuBois complains that GCG has not included the carried interest of \$36,444.44 that he paid when he purchased discounted WorldCom Senior Notes in 2002. As a result, he asserts that his purchase price should be listed as \$711,444.44 instead of \$675,000. With a sale price of \$235,000, he contends that his Recognized Loss should be \$476,444.44 and not the \$440,000 calculated by GCG.

GCG's submission indicates that it did credit Dubois with paying \$675,000, and not with the \$711,444.44 which he asserts he did pay.

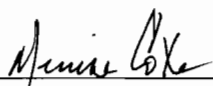
- 3) Trey Matteson sold put option contracts, and asserts that his recognized loss should be \$93,440, and not the \$19,974.40 calculated by GCG. He explains that because of the put option contracts, he purchased WorldCom stock at \$5 per share, which was much higher than the range it was trading on the open market at the time.

GCG explains that it has credited Mr. Matterson with a purchase of 20,000 shares for \$100,000 between May 29 and June 21, 2002. It lists the Recognized Claim as \$19,974. It is unclear if GCG disagrees or accepts Mr. Matteson's calculations.

IT IS FURTHER ORDERED that GCG shall send a copy of this Order to all claimants affected by it.

SO ORDERED:

Dated: New York, New York
August 13, 2009



DENISE COTE
United States District Judge

Copies Sent To:

John Patrick Coffey

Bernstein Litowitz Berger & Grossmann LLP
1285 Avenue of the Americas
New York, NY 10019

Shandarese Garr

The Garden City Group, Inc.
105 Maxess Road
Melville, New York 11747

Jeffrey Golan

Barrack, Rodos & Bacine
2001 Market Street
3300 Commerce Square
Philadelphia, PA 19103